

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**CORRECTED  
FISCAL NOTE**

**SB 2350 – HB 2368**

February 24, 2014

**SUMMARY OF BILL:** Defines “electronic citation” for the purpose of allowing law enforcement officers to send traffic citations to the appropriate court in an electronic format. Requires electronic citations be sent to the court within three days of issuance. Requires paper copies of the electronic citation to be provided to the individual issued the citation. Authorizes court clerks to charge a \$5.00 electronic citation fee for each citation resulting in conviction. Authorizes court clerks to retain \$1.00 of the \$5.00 electronic citation fee. Requires the court clerk to transmit the remaining \$4.00 to the law enforcement entity that prepared the electronic citation. Prohibits court clerks from charging and collecting the electronic citation fee if the local legislative body has, by ordinance, elected not to be subject to this section. Establishes mandated uses for funds received as the electronic citation fee.

**ESTIMATED FISCAL IMPACT:**

On February 20, 2014, a fiscal note was issued for this bill. The fiscal note contained assumptions that were inaccurate. This corrected fiscal note makes corrections to the assumptions. The fiscal impact for the bill remains unchanged.

**Increase State Revenue – Exceeds \$80,000/Department of Safety**

**Increase Local Revenue – Exceeds \$270,000**

Corrected Assumptions:

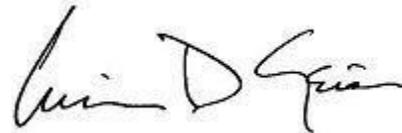
- The Department of Safety and Homeland Security (DOS) uses the Tennessee Integrated Traffic Analysis Network (TITAN) electronic citation program.
- According to DOS, there are approximately 200,000 citations issued by the state annually.
- DOS indicates a conviction rate of approximately 40 percent.
- Court clerks will assess the electronic citation fee on at least 25 percent of all DOS-issued citations.
- A minimum of 20,000 citations issued by DOS (200,000 x 40.0% x 25.0%) will be charged the \$5.00 electronic citation fee.

**SB 2350 – HB 2368 (CORRECTED)**

- Four dollars of the fee will be allocated to the Tennessee Highway Patrol of the Department of Safety as the law enforcement entity that issued the citations. A recurring increase in state revenue estimated to exceed \$80,000 (20,000 citations x \$4.00).
- One dollar of the fee will be retained by the local court clerk's office. A recurring increase in local revenue estimated to exceed \$20,000 (20,000 citations x \$1.00).
- The precise number of local government-issued citations that this fee will apply to cannot be determined, but the number is reasonably estimated to exceed 50,000 per year statewide.
- The recurring increase in local revenue for court clerks from one dollar of the fee is reasonably estimated to exceed \$50,000 (50,000 x \$1.00).
- The recurring increase in local revenue for local law enforcement agencies from four dollars of the fee is reasonably estimated to exceed \$200,000 (50,000 x \$4.00).
- The total recurring increase in local government revenue as a result of the bill is estimated to exceed \$270,000 (\$20,000 + \$50,000 + \$200,000).
- This bill permits local legislative bodies to opt out of the provisions of this bill by adopting an appropriate ordinance. Any local governments opting out of the provisions of this bill will prevent the respective court clerks from assessing and collecting the electronic citation fee. As a result, it is assumed these court clerks will not develop any electronic citation systems.
- This bill does not explicitly require the state or any local government entity to develop or establish an electronic citation system. Some local governments may elect to develop or establish an electronic citation system in the future, subjecting themselves to permissive increases in expenditures. Any permissive increase in local expenditures are assumed to occur in the absence of this bill. As a result, and for the purposes of this fiscal note, no expenditures have been included for the establishment or development of new systems.
- Any increase in state or local government expenditures for transmission of electronic citations to the court having jurisdiction over the alleged offense, or for providing persons issued an electronic citation a paper copy of the citation, is estimated to be not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

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